

CITY OF ALTOONA

CITY CLERK
J. L. WINGARD



CITY HALL
ALTOONA, PENNSYLVANIA 16603
PHONE 814 944-7131

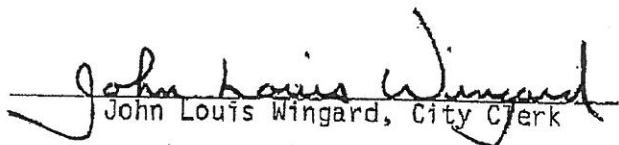
CERTIFICATE

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF BLAIR) SS:
CITY OF ALTOONA)

I certify that the attached copy of the June 29, 1987 Report of the Altoona Government Study Commission constitutes the new plan of government as approved by the qualified electors of the City of Altoona as of the November 3, 1987 municipal election.

As attached, the Report is a true, correct, and complete copy of the new plan which is recorded in the municipal ordinance book and conveyed to those offices as directed by Section 402 of the "Home Rule Charter and Optional Plans Law" Act of 1972, P.L. 184, No. 62.

In witness whereof, I hereunto set my hand and official seal.


John Louis Wingard, City Clerk

John Louis Wingard, Notary Public
Altoona, Blair County
My Commission Expires March 7, 1992

Dated June 10, 1988

COUNTY of BLAIR
OFFICE OF THE COMMISSIONERS

COURT HOUSE
HOLLIDAYSBURG, PENNSYLVANIA 16648
TELEPHONE (814) 695-5541

WILLIAM C. STOUFFER
President
JOHN J. EBERSOLE
Vice-President
DONNA D. GORITY
Secretary
RALPH TOM MANGUS
Chief Clerk
MERLE K. EVEY
Solicitor

June 6, 1988

City Clerk
City Hall
Altoona, Pennsylvania 16601

Dear Sir:

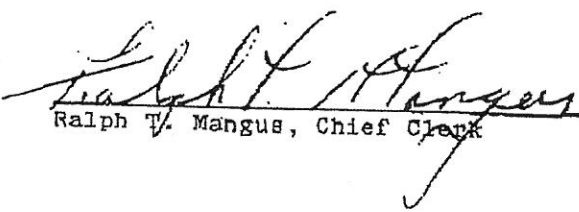
We hereby certify that the question on the Council/Manager Plan was submitted to the electorate of the City of Altoona at the Municipal Election held November 3, 1987 and passed by a vote as follows:

YES	7809
NO	5069

In witness hereof, we have hereunto set our hand and seal of office this 6th day of June, 1988.

BLAIR COUNTY BOARD OF ELECTIONS
by,

RTM:mc


Ralph T. Mangus, Chief Clerk

CITY OF ALTOONA

CITY CLERK
J. L. WINGARD



CITY HALL
ALTOONA, PENNSYLVANIA 16603
PHONE 814 944-7131

June 29, 1988

Blair County Board of Elections
Court House
623 Allegheny Street
Hollidaysburg, PA 16648

Re: Certification of City Clerk of Filing of Report

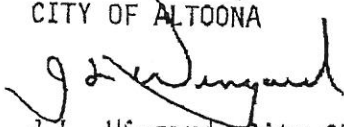
Dear Sir:

Please find enclosed certified voter approved new plan
of government for the City of Altoona.

Certification is sent to you in conformance with Section 402
of Home Rule Charter and Optional Plans Law.

Sincerely,

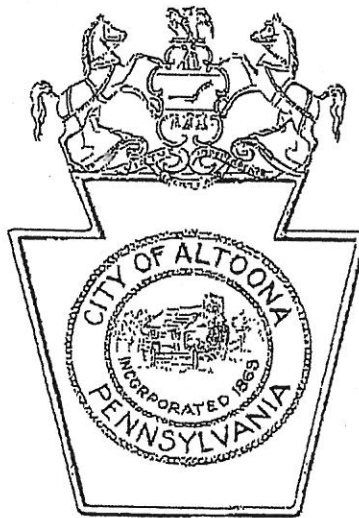
CITY OF ALTOONA


J.L. Wingard, City Clerk

JLW:jb
Encl.

A BOLD STEP FORWARD:

A Recommendation
for a
New Form of Government
for the
City of Altoona



Report
of the
Altoona Government Study Commission

June 29, 1987

A BOLD STEP FOWARD

REPORT OF THE ALTOONA GOVERNMENT STUDY COMMISSION

JUNE 29, 1987

COMMISSION MEMBERS

John R. Beyer

Melvin L. Ellis

Marjorie A. Helsel

Thomas R. Klevan

Barbara Allen Kooman- Chairperson

Daniel J. Milliron

Thomas C. Parsons

COMMISSION ALTERNATES

Gilbert R. Ciambotti

Sandra M. Fry

The Commission expresses its grateful appreciation to
Deborah F. Ashburn for serving as its secretary.

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JUNE 29, 1987

To the Voters of Altoona and to Altoona City Council:

On November 4, 1986, you elected a seven-member commission to study Altoona's government. The charge was to evaluate our existing Commission form of government and to compare its effectiveness and responsiveness with the two optional forms available: the Strong Mayor-Council form and the Council-Manager form.

Seven months of study have revealed to us a City in crisis—primarily financial crisis—a City faced with overwhelming problems. A declining tax base, stagnant economic development, loss of jobs and people, dwindling revenues, spiraling costs for reduced services and an ever-increasing tax burden on property owners and businesses threaten the quality of life in Altoona.

How the community deals with these problems now will determine what kind of future Altoona will have. Our potential as a vital community cannot be overestimated, but we cannot allow fear of change to prevent us from taking the bold step forward to realize that potential!

Our challenge, as Altoona residents, is to guarantee that local government can lead us forward. We must demand solutions to the problems that have hindered our growth.

The Altoona Government Study Commission members agreed that their ultimate responsibility was to recommend to you a structure of government that would best meet our community's demands, one that would best serve our community's needs.

Following months of extensive study, both individually and collectively, your Study Commission unanimously agrees that Altoona's Commission form of government has outlived its effectiveness and is no longer responsive to Altoona's needs. Your Commission further finds the Council-Manager form of government to be the most suitable replacement.

We believe the Council-Manager plan will best serve Altoona because it provides a workable allocation of governmental responsibilities, a truer system of checks and balances, a separation of politics and administration, and—the critical factor—professional management.

Let's not kid ourselves, though. Changing the way we govern our City and manage our resources will not provide instant success. No government will work unless an interested and enlightened community encourages participation. Informed voters must choose good leaders who can motivate us.

As a first step, we invite you to review this report on our recommendations for a new form of government in Altoona. You, as a voter, will have the final say.

Respectfully submitted,

ALTOONA GOVERNMENT STUDY COMMISSION

John R. Beyer

Melvin L. Ellis

Mayorie A. Helsel

Thomas R. Klevorn

Barbara Ellen Korman

Daniel J. Milliron

Thomas C. Parsons

PURPOSE OF THE ALTOONA GOVERNMENT STUDY COMMISSION

Act 62, the Pennsylvania Home Rule Charter and Optional Plans Law, states: "It shall be the function and duty of the Government Study Commission to study the form of government of the municipality, to compare it with other available forms under the laws of this State; to determine whether or not in its judgment the government of the municipality could be strengthened, made more clearly responsible or accountable to the people, or whether its operation could become more economical or efficient under a changed form of government."

SUMMARY OF THE COMMISSION'S RECOMMENDATIONS

The City of Altoona Government Study Commission recommends:

1. That the form of government in the City of Altoona be changed to the COUNCIL-MANAGER optional plan provided in Article VIII of the Home Rule Charter and Optional Plans Law (Act 62).
2. That the Council consist of a Mayor and six representatives, elected at large.
3. That the Mayor be chosen directly by the voters.
4. That the office of City Controller remain an elected position.
5. That the office of City Treasurer be eliminated.
6. That these recommendations be submitted to the voters of the City of Altoona for approval at the Municipal Election to be held on Tuesday, November 3, 1987.
7. If any sentence, part, paragraph or section of this Report shall be held invalid by any court of competent jurisdiction, such judgment shall not invalidate the remainder, but shall be confined in its operation to the portion directly involved in the controversy in which such judgment shall have been rendered. The Commission declared that the Report would have been adopted by it nevertheless, had such invalid portion not been included.
8. If approved by the voters, this plan would become effective the first Monday of January, 1990.

BALLOT QUESTION FOR THE NOVEMBER, 1987, GENERAL ELECTION

In compliance with Pennsylvania Act 62, the following question will be submitted to the voters of the City of Altoona at the General Election, November 3, 1987:

**SPECIAL QUESTION
ALTOONA GOVERNMENT STUDY COMMISSION****INSTRUCTIONS**

A vote "YES" is a vote to change the form of government of the City of Altoona from the Commission form to the Council-Manager form, by the first Monday of January, 1990.

A vote "NO" is a vote that the form of government not be changed.

The word "recommendations" in the question refers to the following:

1. That the Council consist of six representatives, elected at large.
2. That a Mayor be chosen directly by the voters.
3. That the City Controller remain an elected position.
4. That the office of City Treasurer be eliminated.

Shall the COUNCIL-MANAGER PLAN, including recommendations pertaining to optional provisions contained in the report of the Government Study Commission, dated June 29, 1987, be adopted by the City of Altoona?

YES	
NO	

STUDY COMMISSION'S FINDINGS ON ALTOONA'S COMMISSION FORM OF GOVERNMENT

The Altoona Government Study Commission was born from a general dissatisfaction by Altoona voters with the existing form of the government, the Commission form. Initial concerns expressed by voters focused on the City government's inability or unwillingness to identify problems and effect workable solutions in an expeditious manner.

The Third Class City Code of the State of Pennsylvania mandates how the Commission form of government will be structured and operated. The law specifically dictates that all administrative, legislative and general policy-making functions of the City of Altoona be vested solely in the elected Council.

Altoona City Council consists of an elected Mayor and four Councilmen. Voters also elect both a City Treasurer and Controller. The Third Class City Code spells out each elected official's duties and responsibilities.

The Code mandates that there will be five departments: Public Affairs, Public Safety, Accounts and Finance, Streets and Public Improvements, and Parks and Public Property. By law, the Mayor is designated as head of the Department of Public Affairs and is in charge of the Police Department. The four Councilmen each head one of the remaining departments.

All ordinances, resolutions and any policy decisions are adopted by a simple majority. Authority and responsibility for operating the City of Altoona is shared equally by the Mayor and four Councilmen, as clearly stated in the code.

Following a close examination of the current Commission form, interviews with former and current elected officials and employees, and textbook-style research, the Study Commission finds a number of structural deficiencies inherent in the Commission form:

Lack of Central Authority

No single elected Altoona official is the final decision-maker. Although the Mayor is perceived to have more authority, in reality, the Mayor and four Councilmen are given equal legislative powers under the Third Class City Code. Responsibility is divided and the Mayor has no legal

means to compel other City officials to coordinate functions. Consequently, there is a lack of central authority, resulting in a tendency to pass the buck.

Councilmen Serve As Department Administrators

Under the Commission form of government, legislative and administrative duties are merged. Councilmen are designated department heads and each is assigned to oversee the daily operation of his department. These appointments, as the practice has evolved, are based more on seniority or political maneuvering than on a Councilman's expertise or experience. Additionally, an elected official often does not have the professional skills and/or technical knowledge to most efficiently manage his department. He/she receives on-the-job training from the professionals already in the department.

Since each department has professionals serving under the elected official, there exists a duplication of administrative functions and salaries. This extra layer of bureaucracy is costly to the Altoona taxpayers.

Budget Priorities Not Determined

As council begins the annual budget process, each Councilman establishes his own priorities and then must lobby with the rest of Council for a larger share of the budget. Such a procedure results in a parochial, splintered view of the overall needs and priorities of the City. In budget negotiations, rather than Council collectively determining City spending priorities, each Councilman takes a defensive stance and tries to protect his own department's budget.

No Long-Range Planning

The structure of the Commission form forces Councilmen to deal with short-term problems because of their daily administrative responsibilities. This results in little opportunity for Council as a body to have the time to develop long-term goals for Altoona. Currently, Altoona does not have a coordinated planning effort, or a comprehensive outline for economic development. There is no timetable for capital improvements or how to fund them. The City lacks a guiding vision. These critical aspects of City government are not being addressed because no one person has ultimate responsibility.

Weakened Checks and Balances

Because Councilmen serve as both legislators and administrators, the system of checks and balances is diminished. The Mayor and Council pass the laws they will implement, prepare a budget they must adopt, and call for a tax hike they must vote on. The lack of checks and balances in the true sense contributes to an overall lack of accountability of City government to the taxpayers.

Reliance on Outside Help

The City is forced to rely more and more on trained professionals because elected administrators seldom possess the skills or expertise to deal with the ever increasing technical and legal issues that confront Altoona in the 1980s. For example, Altoona officials have turned over the responsibility for budget preparations to the Pennsylvania Economy League. The City pays for services from consulting firms to negotiate union contracts. Administrative fees are paid to City agencies (e.g. Greater Altoona Economic Development Corporation, Planning Commission) to monitor the spending of State and Federal grants.

Conclusion to Findings

As we focused on the weaknesses of the Commission form of government, our purpose was not to attack the quality of leadership now in place in City government, but to determine whether an alternative form would better channel the leadership and energies of elected officials. We have made the determination that changes in the present system will not go far enough to accomplish that objective. Thus, we have determined that an alternative form of government, the Council-Manager form, will best provide a more progressive, responsive, and effective municipal government for Altoona.

From 1913 to roughly the mid-1950s, Altoona's City Councils were able to cope fairly successfully with the structural deficiencies inherent in the Commission form of government. Beginning in the mid-fifties, however, and continuing until the present day, those deficiencies have become more and more an impediment to effective government.

We live in a time of rapid change and increasing complexity in all areas of life. Conducting the affairs of a city is no exception to these pressures. The deficiencies of the Commission form of

government do not allow for the flexibility necessary to adjust for these factors. As a result, Altoona City government in the mid-eighties is prevented from assuming its proper role in guiding Altoona's growth and development. Indeed, instead of leading, City government has actually become a hindrance to growth and development.

The system is obsolete. A new form of government is essential if Altoona is to have the kind of bright future its people both deserve and have the potential to realize.

EXPLANATION OF THE COUNCIL-MANAGER FORM OF GOVERNMENT

Under the Council-Manager form of government, as recommended by the Altoona Government Study Commission, the City will be governed by a seven member council elected at large by the voters. The Mayor, who will be one of the seven Council members, will also be elected directly by the voters.

The Mayor will be Council President, will preside at all Council meetings, and will have a voice and vote in Council proceedings.

Members of Council shall not head City departments.

By ordinance, Council shall adopt an Administrative Code defining the responsibilities of the City departments and agencies it deems necessary for the efficient conduct of City affairs. Council has the power to create new departments or to consolidate existing ones. It shall determine and define the powers and duties of departments, boards, and offices as it deems necessary. Any department, board or office continued or created may, at any time be abolished by Council.

Under the Council-Manager form, Council shall act in all matters as a body; no member shall seek individually to influence the official acts of the City Manager or any other officer. In addition, neither Council nor any of its members shall direct or request appointments or removals from office of any persons, nor shall they interfere in any way with the performance by such officers of their duties. Council and its members shall deal with the administrative service solely through the City Manager and shall not give orders to any subordinates of the Manager, either publicly or privately.

Under the Administrative Code, Council will have an appointed City Clerk who shall serve as Secretary of Council.

There will be no office of City Treasurer. Council, through the Administrative Code, shall make provisions for the receiving--including tax collecting--and paying of City funds as a normal business procedure.

A City Controller will be elected by the voters.

Council will appoint a City Manager for an indefinite period of time. The Manager may be removed at any time by a majority vote of Council.

The City Manager shall be the Chief Executive and Administrative Official for the City. He/She shall execute all the laws and ordinances of the City, shall appoint and have power to remove all department heads, with the advice and consent of Council, and shall negotiate contracts for the City, subject to the approval of Council.

The Manager shall make recommendations concerning the nature and location of City improvements, and shall provide for City improvements as determined by Council.

The Manager shall assure that all terms and conditions imposed in favor of the City or its inhabitants in any statute, public utility franchise or other contracts are faithfully kept and performed, and upon knowledge of any violation, call the same to the attention of Council.

The Manager shall prepare the agenda for and shall attend all meetings of the City Council with the right to take part in the discussions, but without the right to vote.

The Manager shall make such recommendations to Council concerning policy formulation as he/she deems desirable and keep Council and the public informed as to the conduct of City affairs.

The Manager shall prepare and submit the annual budget to Council together with such explanatory comment as he/she may deem desirable, and shall administer the Council-approved budget.

The Manager shall perform such other duties as may be required of him/her by ordinance or resolution of Council.

The Manager shall be responsible to Council for carrying out all policies established by it and for the proper administration of all affairs of the City within the jurisdiction of Council.

ADVANTAGES CONFERRED BY THE COUNCIL-MANAGER FORM OF GOVERNMENT

The Study Commission, in making its recommendation, believes that the Council-Manager form of government will confer several advantages upon the City of Altoona. These would include:

Savings of Taxpayers' Dollars

An immediate savings will accrue from changing the status of Council member from full time to part time. Since Council members under the Council-Manager form of government will not act as department heads, their salaries will be substantially reduced (See the "COST COMPARISON" section of this report). Likewise, the Mayor's status will be reduced from full time to part time with a corresponding savings in salary payments.

More important than these direct savings will be the overall, long-term economies and savings that will result from the greater efficiency brought about by professional management.

Professionalism in Managing the City's Affairs

Modern government has become highly technical and complex. In a very real sense, its management can no longer be left to amateurs. Altoona is faced with an urgent need for solutions to its problems. Training and expertise in public administration is needed now. The Council-Manager form of government will provide for these professional skills.

Executive Leadership and Accountability

The Council-Manager plan puts one person in charge. The Manager becomes the sole designated contact person for the City. Consequently, there is less diffusion of responsibility and authority. The tendency for buck-passing will be decreased substantially.

Balance of Power

The Council-Manager plan provides for an executive who will be unencumbered by the freight of special-interest influence and partisanship which have characterized Altoona government throughout its history. In addition, Council members can operate effectively without political, economic or personal power bases.

Under the Council-Manager form, there will be an absence of the kind of patronage and undue political or economic influences by individual Council members that often have been characteristic of Altoona government.

Under the Council-Management form of government, elected Council members are equal to each other, whether they represent majority or minority interest in the community, whether they have economic power or not.

Every Council member has the same rights, the same obligations, and the same possibility to be effective as does every other member.

Vision

With Council able to function solely as a legislative body rather than as both legislators and administrators of individual departments, the potential for developing a long-range, unified plan for the future of Altoona will be greatly enhanced.

Efficiency

The Council-Manager plan will bring about speedier solutions to Altoona's urgent problems and will more efficiently coordinate the City's priorities.

Stability

Greater stability of government operations will come about from two aspects of the Council-Manager form, as recommended by the Study Commission.

The first of these aspects is the recommendation for a seven-member Council. Seven Council members will decrease the present practice of wheeling and dealing for Council votes. The ever-shifting partisan and special-interest majorities will be more difficult to attain with seven members, a difficulty which should cut down the shifting back and forth, resulting in a greater stability.

A second aspect of the Council-Manager form bringing greater stability is the clear-cut separation of duties between Council and the Manager. Council legislates, the Manager administers. No Council member has any special stake in any individual department. Council sets policy; the Manager implements it.

Flexibility

Under the Council-Manager form, Council may create or consolidate departments as deemed

necessary. This cannot be done under the present form of government. Council's power to do this brings much needed flexibility to the City's operations, allowing its government to respond better to changing needs of the City.

Broad Representation

The Study Commission has found that a part-time Council charged with only legislative duties attracts candidates representing a broader spectrum of the community than is now the case. Because Council will be part time, meeting in the evenings, candidates do not have to give up their present employment to serve.

Our studies also show that municipalities with part time councils attract a greater number of candidates running for office, thus giving voters more opportunity for selection.

Altoona as "First"

Should Altoona adopt the Council-Manager form of government, it would become the first city its size in Pennsylvania to do so. Such a step would send a powerful message to State and Federal governments, saying in effect that the people of Altoona are determined to govern themselves as efficiently as possible.

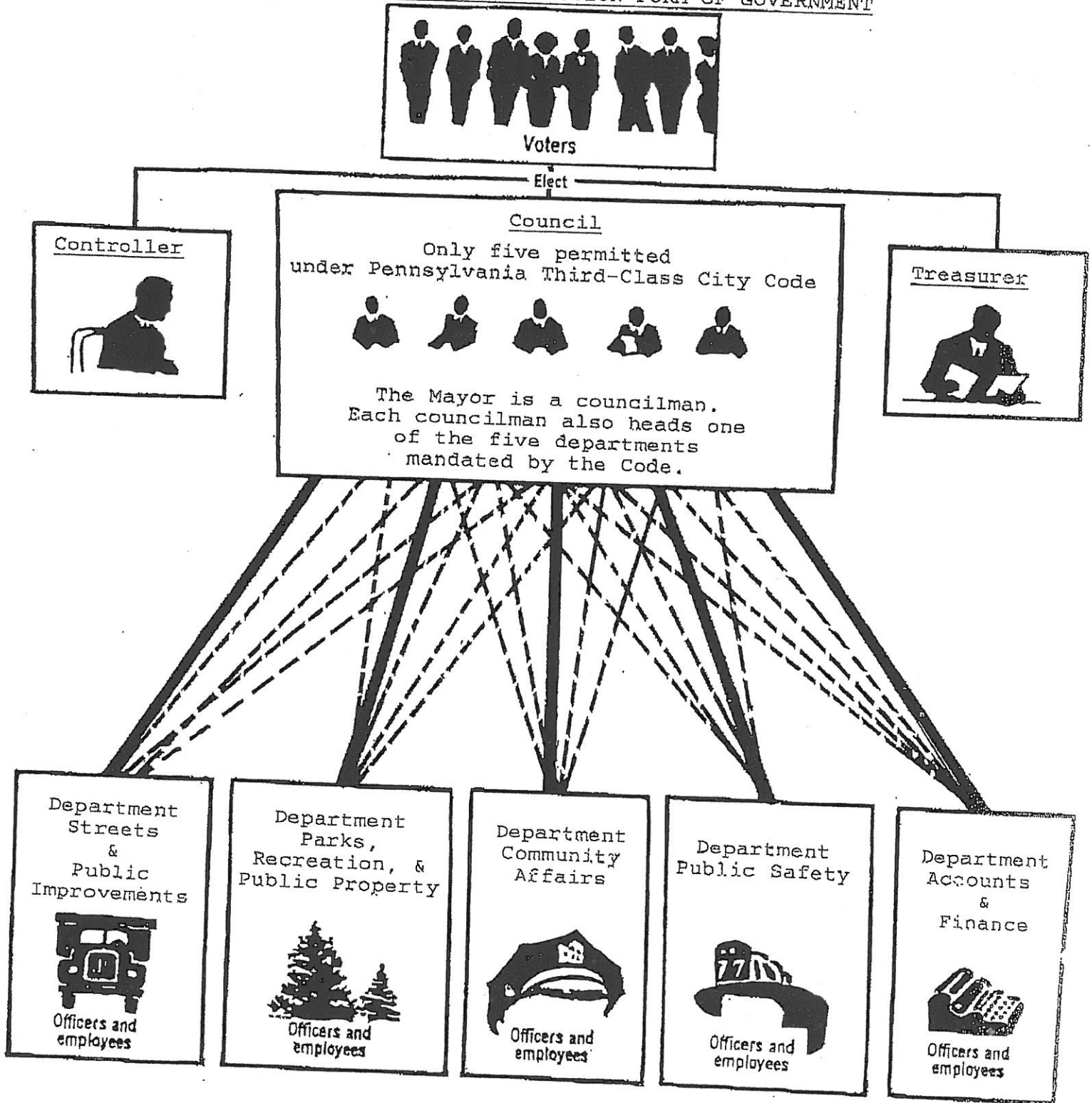
It is a step into the modern age.

Altoona would be the first Third Class City in the State to join a national trend toward professional government. The International City Managers Association reports that some 80 municipalities annually adopt the Council-Manager form of government. Pennsylvania has been notoriously behind in joining this trend.

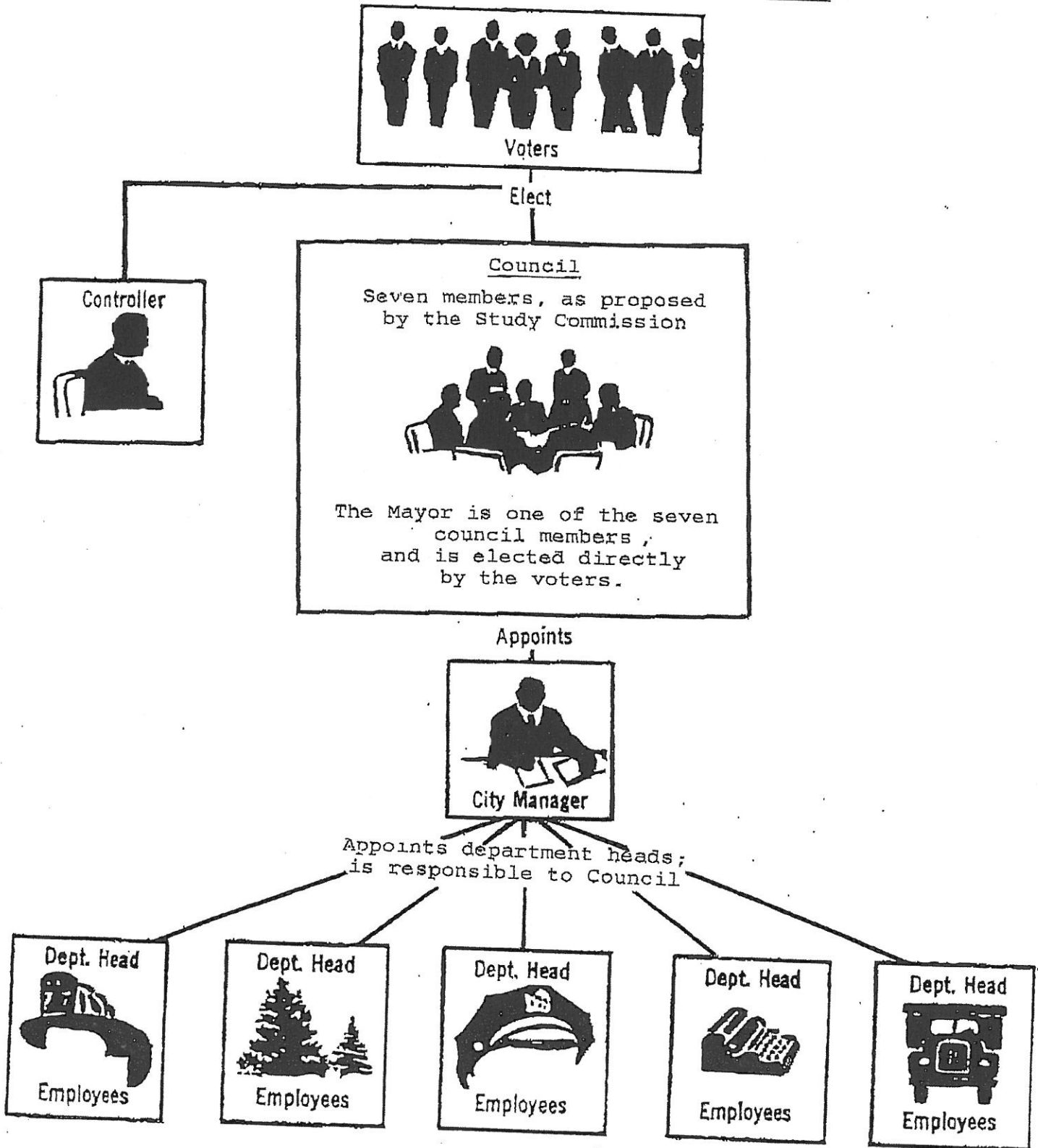
The same positive message would go out to business and industry across the nation, enhancing Altoona's credibility as a city wanting to conduct its affairs in a modern, professional manner. That message will undoubtedly improve Altoona's attractiveness as a location for new business and industry, thus speeding the solution to the City's economic problems.

In addition, because the adoption of a Council-Manager form of government would represent a real breakthrough for the concept of City Managership in Pennsylvania, it would seem vital to the profession of City Managers that Altoona succeed with its newly chosen form of government. The Study Commission envisions the availability of great assistance from the organized association of City Managers.

ORGANIZATIONAL CHART:
ALTOONA'S PRESENT COMMISSION FORM OF GOVERNMENT



ORGANIZATIONAL CHART
PROPOSED COUNCIL-MANAGER FORM OF GOVERNMENT



Number of departments is determined by Council

COST COMPARISON***1987 Estimated Salaries & Benefits
for Present Commission Form**

	MAYOR	COUNCIL (4 @ \$24,311)	TOTAL
Salary	\$27,957	\$97,244	= \$125,201
Social Security	\$ 1,999	\$ 6,953	= \$ 8,952
Benefits	\$ 4,071	\$11,421	= \$ 15,492
Total	\$34,027	\$115,618	= \$149,645

**Recommended for Council/Manager Form
(Maximums)**

	MANAGER (Range \$40,000 - \$60,000)	MAYOR	COUNCIL (6 @ \$3,600)	TOTAL
Salary	\$60,000	\$4,800	\$21,600	= \$86,400
Social Security	\$ 4,500	\$ 360	\$ 1,620	= \$ 6,480
Benefits	\$ 5,601	* -0-	* -0-	= \$ 5,601
Total	\$70,101	\$5,160	\$23,220	= \$98,481

*Self paid, if desired.

Present Form	\$149,645
Recommended Form	\$ 98,481
Minimum Savings	\$ 51,164

*Figures provided by the Pennsylvania Economy League.

AREAS OF EXISTING GOVERNMENT TO REMAIN UNCHANGED

1. All existing contractual obligations of the City will be honored without changes for the duration of these contracts.
2. All City employee benefit and pension programs as previously ordained shall remain in force.
3. Subjects of taxation, tax rates, and borrowing will continue to be limited by the Pennsylvania General Assembly, as now is the case.
4. Real estate assessments are not affected by the adoption of the new form of government.
5. Normal City services such as police and fire protection, water, sewage disposal, health, plumbing and building inspections, park maintenance and recreation programs, highway maintenance, etc., will continue without interruption.
6. Intergovernmental agreements with other municipalities such as the county of Blair and surrounding townships will continue as heretofore.
7. The conduct of elections will not be changed, and members of Council will still be elected by the voters to represent them.
8. Quasi-judicial functions such as the Zoning Hearing Board, Planning Commission, etc., will continue.
9. All other codes universally applicable statewide will continue in force.

TRANSITION COMMITTEE

A new form of government is a change. That change must be planned. A smooth transition from the present form of government is crucial to the success of the Council-Manager form.

Ultimate responsibility for bringing about a smooth transition will be borne by a Transition Committee.

Because such a committee is so important the Study Commission strongly recommends that a Transition Committee be established by the new Mayor and Council within ninety (90) days after they take office on January 4, 1988.

The Study Commission, while not limiting the number of members of the Transition Committee, recommends that the Committee include two members of Council, two members from the Study Commission, two members appointed from the community at large, legal counsel versed in municipal government, and a member from the academic community (e.g. Altoona Campus) with expertise in municipal government.

The Study Commission recommends that the Transition Committee should address the following:

1. Development of recommended drafts of an Administrative Code for consideration by City Council, as well as other organizational matter which will have to be considered promptly by the new government. Such Code should include a clause or clauses relating to the succession of rights and duties of personnel and offices from the old government to the new.
2. Plans for the continuation in office of elected officials whose terms continue after the effective date of the new government; specifically, their change of duties and responsibilities.
3. Detailed recommendations to the new City Council and Mayor for reorganizing City government, including departmental reorganization.
4. A method of insuring adequate communication between City Council (including the Mayor) and the City Manager.
5. Recommended drafts of a new Personnel Code for the new administration to consider.
6. Development of specific qualifications for the position of City Manager.
7. A provision within its recommendations whereby the newly elected Council and Mayor who will assume office under the new form of government interview candidates for the City Manager position between their election in November, 1989, and their inauguration in January, 1990, so that they may formally name a City Manager as their first act of office in 1990.

RELEVANT EXTRACTS FROM FROM PENNSYLVANIA ACT 62, THE HOME RULE LAW

The primary mandate of the Constitutional Convention of 1967-68 was, wherever possible, to return government, both state and local, to the people. Act 62 of 1972 is not mandatory, does not force a community to do anything. It does provide the means by which the voters may overrule a local council or board through the initiative or referendum process.

When Altoona City Council refused to put a referendum on the ballot in the May primary, a group of citizens exercised their authority under the Home Rule Charter and Optional Plans Law, Section 201(a). "Whenever authorized by ordinance of the governing body, or upon petition of the registered voters of any municipality to the county board of electors of the county wherein the municipality is located, an election shall be held in the municipality upon one of the following questions:

- (1) "Shall a government study commission of seven members be elected to study the existing form of government of the municipality; to consider the advisability of the adoption of an optional form of government and to recommend whether or not an optional form of government shall be adopted?"

Section 202. A governmental study commission of seven members as designated in the question shall be elected by the qualified voters at the same election the question is submitted to the electors. Each candidate for the office of the government study commission shall be nominated and placed upon the ballot containing the question in the manner provided by and subject to the provisions of the Pennsylvania Election Code which relate to the nomination of candidates nominated by nomination papers filed for other offices elective by the voters of a municipality, except that each candidate shall be nominated and listed without any political designation or slogan, and, no nomination paper shall be signed or circulated prior to the thirteenth Tuesday before the election, nor later than the tenth Tuesday before the election. No signature shall be counted unless it bears the date within this period. Each voter shall be instructed to vote on the question and, regardless of manner of his vote on the question, to vote for the designated number of members of a government study commission who shall serve if the question is or has been determined in the affirmative...

Section 204.1(b) As soon as possible, and in any event no later than ten days after its certification of election, the members of a government study commission hereafter elected on other than a county-wide basis, shall before a district justice or a justice of the peace, make oath or affirmation to support the Constitution of the United States, and to perform the duties of the office with fidelity...

Section 205. As soon as possible and in any event no later than fifteen days after its certification of election, the government study commission shall organize and hold its first meeting and elect one of its members as chairman, another member as vice chairman, fix its hours and place of meeting, and adopt such rules for the conduct of its business as it may deem necessary and advisable. A majority of members of said commission

shall constitute a quorum for the transaction of business, but no recommendation of said commission shall have any legal effect unless adopted by a majority of the whole number of members of the commission.

Section 207. It shall be the function and duty of the government study commission to study the form of government of the municipality, to compare it with other available forms under the laws of this State, to determine whether or not in its judgment the government of the municipality should be strengthened, made more clearly responsible or accountable to the people, or whether its operation could become more economical or efficient under a changed form of government.

Section 208. Members of the government study commission shall serve without compensation, but shall be reimbursed by the municipality for their necessary expenses incurred in the performance of their duties. Council shall appropriate moneys necessary for this purpose.

Within the limits of such appropriations and other public and privately contributed funds and services as shall be made available to it, the commission may appoint one or more consultants and clerical and other assistants to serve at the pleasure of the commission and may fix a reasonable compensation to said consultants and clerical and other assistants.

Section 209. The government study commission shall hold one or more public hearings, may hold private hearings and sponsor public forums, and generally shall provide for the widest possible public information and discussion respecting the purpose and progress of its work.

Section 210(a). The government study commission shall report its findings and recommendations to the citizens of the municipality within nine calendar months from the date of its election except that it shall be permitted an additional nine months if it elects to prepare and submit a home rule charter and an additional two months if it chooses to elect its municipal council by districts. It shall publish or cause to be published sufficient copies of its final report for public study and information, and shall deliver to the municipal clerk or secretary sufficient copies of the report to supply it to any interested citizen upon request. If the omission shall recommend the adoption of a home rule charter or any of the optional forms of government as authorized by this act, the report shall contain the complete plans as recommended.

(b) There shall be attached to each copy of the report of the commission listing in detail the funds, goods, materials and services, both public and private, used by the commission in the performance of its work and the preparation and filing of the report. In addition, the list shall identify specifically the supplier of each item thereof.

(c) A copy of the report of the Commission with its findings and recommendations shall be filed with the Department of Community Affairs.

(d) All the records, reports, tapes, minutes of meetings and written discussions of the government study commission shall, upon its discharge, be turned over to the municipal clerk or secretary for permanent safekeeping and made available to the public for inspection at any time during the regular business hours.

Section 211(a). The government study commission shall be discharged upon the filing of its report: Provid-

ed, that if the commission's recommendations require further procedure in the forms of a referendum on the part of the people of the municipality, the commission shall not be discharged until such procedure has been finally concluded. At any time prior to sixty days before the date of such referendum, the commission may modify or change any recommendation set forth in said final report by publishing an amended report.

Section 212. The government study commission shall report and recommend in accordance with the question presented to the electorate as provided in Section 201:

(1) That a referendum shall be held to submit to the qualified voters of the municipality the question of adopting one of the optional forms of government authorized by this act to be specified by the commission.

Section 213(a). If the government study commission report shall recommend the adoption or the amendment of any of the optional plans of government set forth in this act, except the optional county plan provided in Article X, the report of the commission may specify that (I) the municipal council may consist of three, five, seven or nine members (except under the small municipality plan as provided for in Article IX, and under the optional county plan as provided for in Article X, the number of councilmen shall be as provided in Section 911 and Section 1002, respectively); (II) the office of treasurer shall be omitted or whether it shall be filled by election by the voters of the municipality rather than by appointment; and (III) the office of controller shall be omitted or whether it shall be filled by election by the voters of the municipality rather than by appointment.

If a commission report, initiative petition or ordinance shall recommend the adoption of the amendment of any of the optional forms of government set forth in this act, except for the optional county plan set forth in Article X, it may specify that the then existing basis for electing councilmen shall be changed to an at-large, or combination at-large and district basis.

If a commission report, initiative petition or ordinance shall recommend the adoption of the Council-Manager form of government, it may specify the mayor or president of council or chairman be directly elected by the voters of the municipality rather than by council.

Section 215. If a government study commission shall recommend that the question of adopting a home rule charter or one of the optional forms of government authorized by this act shall be submitted to the voters of the municipality, it shall be the duty of the municipal clerk or secretary, within five days thereafter, to certify a copy of the study commission's report to the county election board, which shall cause the question of adoption or rejection to be placed upon the ballot or voting machines at such times as the commission in its report shall specify. The commission may cause the question to be submitted to the people at the next primary, municipal or general election, occurring not less than sixty days following the filing of a copy of the commission's report with the county board of elections, at such time as the commission's report shall direct. At such election, the question of adopting that form of government recommended by the commission shall be submitted to the voters of the municipality by the county board of elections in the same manner as other questions are submitted to the voters of a municipality under the provisions of the Pennsylvania Election Code. The commis-

sion shall form the question to be placed upon the ballot as herein provided, and if it deems appropriate an interpretative statement to accompany such a question.

Section 217. Whenever the legally qualified voters of any municipality by a majority of those voting on the question vote in favor of adopting a change in their form of government pursuant to this act, the proposed form shall take effect according to the terms and the provisions of this act.

Section 218. The voters of any municipality which has adopted a home rule charter or an optional plan of government pursuant to this act may not vote on the question of changing the form of government until five years after the home rule charter or optional plan becomes effective.

ARTICLE VIII OPTIONAL PLAN: COUNCIL-MANAGER PLAN

A. Form of Government: Elected Officials

Section 801. The form of government provided in this article shall be known as the "Council-Manager Plan" and shall, together with Articles IV and XII, govern any municipality, the voters of which have adopted this plan pursuant to this act.

Section 802. Each municipality under this article shall be governed by an elected council one member of which shall be the mayor, or president of council, or chairman chosen as provided in Section 213 and 811, an elected district attorney in the case of counties, and appointed municipal manager, and, when recommended by the government study commission and adopted by the voters an elected treasurer, and elected controller and by such other officers and employees as may be duly appointed pursuant to this article, general law or ordinance. (As amended by Act 149 of 1974).

Section 803. The district attorney in the case of counties and the treasurer and controller, if provided for and if elected, shall be elected by the voters of the municipality at a regular municipal election, and shall serve for a term of four years beginning the first Monday of January next following his election.

Section 804. The municipal council shall consist of five members unless, pursuant to the authority granted under Section 213 of this act, the municipality shall be governed by a council of three, seven or nine members. Members of the municipal council shall be elected, at-large, by the voters of the municipality, unless, pursuant to the authority granted under Section 213 of this act, members shall be elected on a district basis in which each district is as equal in population as is feasible, or on a combination at-large and district basis as determined by the charter study commission or as specified in an initiative petition or ordinance of the governing body under the provisions of Section 231 through Section 233 of this act, at a regular municipal election, and shall serve for a term of four years, except as hereinafter provided for those first Monday of January next following their election.

Section 805. At the first municipal election following the adoption by a municipality of this charter plan,

councilmen shall be elected and shall serve for the terms as provided in Section 1262 of this act.

B. Council

Section 811 (b) On the recommendation of the government study commission as provided in Section 213, or as specified in an initiative petition or ordinance of the governing body as authorized by Section 231 through Section 233 of this act, the mayor shall be elected directly by the voters of the municipality at the regular municipal election in lieu of being chosen as provided in subsection (a) of this Section.

Section 812. A municipal clerk or secretary shall be appointed in the manner set forth in the Administrative Code as provided in Section 1246 of this act. The municipal clerk or secretary shall serve as clerk of the council, keep its minutes and records of its proceedings, maintain and compile its ordinances and resolutions as this act requires, and perform such functions as may be required by law or by local ordinance. The municipal clerk shall, prior to his appointment, have been qualified by training or experience to perform the duties of the office.

Section 813. (a) All powers as provided by laws applicable to that class of municipality shall be vested in the municipal council, except as otherwise provided by this article, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the municipality by law.

(b) The council shall by ordinance adopt an administrative code defining the responsibilities of the municipal departments and agencies as it deems necessary and proper for the efficient conduct of municipal affairs.

(c) The municipal council shall appoint a municipal manager. The office of municipal manager and municipal clerk or secretary may be held by the same person.

(d) The council may make investigations into the affairs of the municipality and the conduct of any municipal department, office or agency.

(e) The municipal council shall continue or create, and determine and define, the powers and duties of such executive and administrative departments, boards, and offices, in addition to those provided for herein, as it may deem necessary for the proper and efficient conduct of the affairs of the municipality including the office of deputy manager. Any department, board or office so continued or created may, at any time, be abolished by the municipal council. No member of municipal council shall head an administrative department.

(f) It is the intention of this article that the municipal council shall act in all matters as a body, and it is contrary to the spirit of this article for any of its members to seek individually to influence the official acts of the municipal manager, or any other officer, or for the council or any of its members to direct or request the appointment of any person to, or his removal from office, or to interfere in any way with the performance by such officers of their duties. The council and its members shall deal with the administrative service solely through the municipal manager and shall not give orders to any subordinates of the municipal manager, either publicly or privately. Nothing herein contained shall prevent the municipal council from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of

any officer or department, or to any matter relating to the welfare of the municipality, and delegating to such committee or commissions such powers of inquiry as the municipal council may deem necessary.

C. Municipal Manager

Section 821. The municipal manager shall be chosen by the council on the basis of his executive and administrative qualifications. At the time of his appointment, he need not be a resident of the municipality or State. The municipal manager shall not hold any elective governmental office.

Section 822. The municipal manager shall be appointed for an indefinite term, and may be removed by a majority vote of the council. At least thirty days before such removal shall become effective, the council shall notify the municipal manager of its decision to remove him from office, by a majority vote of its members, stating the reasons for his removal. The municipal manager may reply in writing and may request a public hearing, which shall be held not earlier than twenty days nor later than thirty days after the filing of such request. After such public hearing, if one be requested, and after full consideration, the council by majority vote of its members may adopt a final resolution of removal. By the preliminary resolution, the council may suspend the municipal manager from duty, but may, in any case, cause to be paid him forthwith any unpaid balance of his salary and thereafter his salary for the next three calendar months.

Section 823. The municipal manager may designate a qualified administrative officer of the municipality to perform his duties during his temporary absence or disability. In the event of his failure to make such a designation, or if the absence or disability continues more than thirty days, the council may appoint an officer of the municipality to perform the duties of the manager during such absence or disability until he shall return or his disability shall cease.

Section 824. The municipal manager shall:

(1) Be the chief executive and administrative official of the municipality.

(2) Execute all laws and ordinances of the municipality.

(3) Appoint and have power to remove department heads, a deputy manager, if one be authorized by council, and appoint subordinate officers and employees under procedures established in Section 1222 of this act.

(4) Negotiate contracts for the municipality, subject to the approval of the municipal council, make recommendations concerning the nature and location of municipal improvements, and execute municipal improvements as determined by the municipal council.

(5) Assure that all terms and conditions imposed in favor of the municipality or its inhabitants in any statute, public utility franchise or other contract are faithfully kept and performed, and upon knowledge of any violation, call the same to the attention of the municipal council.

(6) Prepare agenda for and attend all meetings of the municipal council with the right to take part in the discussions, but without the right to vote.

(7) Make such recommendations to the council concerning policy formulation as he deems desirable and

keep the council and the public informed as to the conduct of municipal affairs.

(8) Prepare and submit the annual budget to the council together with such explanatory comment as he may deem desirable, and administer the council approved budget.

(9) Perform such other duties as may be required of the municipal manager by ordinance or resolution of the municipal council.

(10) Be responsible to the council for carrying out all policies established by it and for the proper administration of all affairs of the municipality within the jurisdiction of the council.

D. Budget

Section 825. The municipal manager shall submit to council his recommended budget, together with such explanatory comment or statement as he may deem desirable. The budget shall be in such form as is required by council for municipal budgets, and shall in addition have appended thereto detailed analysis of the various items of expenditure and revenue. The budget as submitted and adopted must be balanced. Council shall upon introduction of the proposed budget fix a date for adoption thereof which shall not be later than the thirty-first day of December immediately following.

Section 826. During the month of January next following any municipal election, council may request the manager to submit an amended budget to council which shall consider it in the same manner as provided in Section 825, except that final adoption of the amended budget shall not be later than February 15 of the same year.

ARTICLE XIII GENERAL PROVISIONS COMMON TO OPTIONAL PLANS

A. Officers and Employees

Section 1201. In any case where a municipal officer or official elected or appointed knows or by the exercise of reasonable diligence could know that he is interested to any appreciable degree, either directly or indirectly, in any contract for the sale or furnishing of any personal property for the use of the municipality, or for any services to be rendered for such municipality involving the expenditure by the municipality of more than three hundred dollars (\$300) in any year, he shall notify council thereof, and any such contract shall not be passed and approved by council except by an affirmative vote of at least three-fourths of the members thereof. In case the interested officer is a member of council, he shall refrain from voting upon said contract. The provision of this section shall not apply to cases where such officer or official is an employee of the person, firm or corporation to which money is to be paid in a capacity with no possible influence of the transaction and in which he cannot possibly be benefited thereby, either financially or in any other material manner. Any officer or officials who shall knowingly violate the provisions of this section shall be liable to the municipality upon his bond, if any, or personally, to the extent of the damage shown to be sustained thereby by the municipality, to ouster from of-

fice, and shall be guilty of a misdemeanor; and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or imprisonment not exceed one year, or both.

Section 1202. No officer or employee shall accept or receive, directly or indirectly, from any person operating within the territorial limits of a municipality any interurban railway, bus line, street railway, gas works, waterworks, electric light or power plant, heating plant, telegraph line, telephone exchange or other business using or operating under a public franchise, any frank, free pass, free ticket or free service, or accept or receive, directly or indirectly, from any person, any other service upon terms more favorable than is granted to the public generally, except that such prohibition of free transportation shall not apply to policemen or firemen in uniform. Nor shall any free service to the municipal officials heretofore provided by any franchise or ordinance be affected by this section.

Section 1203. No candidate for office, appointment or employment and no officer, appointee or employee in any municipality shall, directly or indirectly, give or promise any person any office, position, employment, benefit or anything of value for the purpose of influencing or obtaining the political support, aid or vote of any person, under the penalty of being disqualified to hold the office or employment to which he may be or may have been elected or appointed.

Section 1204. If any person hereafter elected or appointed to any office or position in a municipality governed under this act shall, after lawful notice or process, willfully refuse or fail to appear before the court, any legislative committee, or the Governor, or having appeared shall refuse to testify or to answer any question regarding the property, government or affairs of the municipality, or regarding his nomination, election, appointment or official conduct on the ground that his answer would tend to incriminate him, or shall refuse to waive immunity from prosecution on account of any such matter in relation to which he may be asked to testify, may be removed from office by the council of the municipality in its discretion.

B. Treasurer

Section 1211. (a) Under any of the optional plans as set forth in this act, except for the plan set forth in Article X, Optional County Plan, the office of municipal treasurer may be omitted, or may be filled by appointment or by election as recommended by the charter commission and adopted by the voters. If the office of municipal treasurer is to be filled by appointment, the appointment shall be made in accordance with the appointment procedures for other department heads. (As amended by Act 149 of 1974).

C. Appointment Power and Personnel

Section 1221. The appointment power of the chief executive of the municipality under any of the plans authorized by this act shall include the appointment of members of boards and commissions authorized by this act, by general law now or hereafter enacted, or by action of municipal council. All such appointments shall be with the advice and consent of a majority of municipal council.

Section 1222. Appointments and promotions of subordinate officers and employees within departments shall be made by the department head on the basis of a personnel system which shall include written procedures for appointment and promotion based on merit and fitness as demonstrated by examination or other evidence of position competence. The personnel system shall be governed by personnel rules which shall be prepared by the executive (mayor) or manager and submitted to the municipal council which shall adopt them with or without amendments unless otherwise provided for or arrived at by collective bargaining. The personnel rules may provide for:

(1) The classification of all municipal positions, based on the duties, authority and responsibility of each position, with adequate provision for reclassification of any position whenever warranted by change of circumstances.

(2) A pay plan for all municipal positions.

(3) Methods for determining the merit and fitness of candidates for appointment or promotion.

(4) The policies and procedures regulating reduction in force and disciplinary action, including suspension and removal of employees.

(5) The hours of work, and provisions for sick and vacation leave and holidays, and provisions for overtime compensation.

(6) Grievance procedures, including procedures for the hearing of grievances.

(7) Other practices and procedures necessary to the administration of the municipal personnel system.

E. Legislation by Council

Section 1241. The council shall, by ordinance or resolution, designate the time of holding regular meetings which shall be at least monthly. The executive (mayor) or the president of council, as the case may be, may and, upon written request of a majority of the members of the council, shall call a special meeting of the council. In the call, he shall designate the purpose of the special meeting and no other business shall be considered. All meetings of the council shall be open to the public. The municipal clerk or secretary shall keep a journal of its proceedings and record the minutes of every meeting.

Section 1242. (a) Council shall determine its own rules of procedure, not inconsistent with ordinance or statute. A majority of the whole number of members of the council shall constitute a quorum, and no ordinance shall be adopted by the council without the affirmative vote of a majority of all the members of the council.

(b) Each ordinance or resolution shall be presented and considered as determined by council rules of procedure. The vote upon every motion, resolution or ordinance shall be taken by roll call and the yeas and nays shall be entered on the minutes. The minutes of every meeting shall be signed by the officer presiding at such meeting and by the municipal clerk or secretary.

(c) Council shall adopt by ordinance an administrative code which shall provide for the establishment and filling of additional administrative offices which it shall deem necessary, and shall provide for administrative procedures not otherwise provided for in this act or by general law.

(d) The compensation of the controller and treasurer shall be fixed by the council.

Section 1243. (a) Except as may otherwise be provided in this act all ordinances shall be adopted and published as provided by law: Provided, however, That any ordinance may incorporate by reference any standard technical regulation or code, official or unofficial, which need not be so published whenever ten copies of said regulations or code have been placed of file in the office of the municipal clerk or secretary and in the office of the body or department charged with the enforcement of said ordinance.

(b) No ordinance other than the local budget ordinance shall take effect less than ten days after its final passage by council and approval by the executive (mayor) where such approval is required, unless the council shall adopt a resolution declaring an emergency and at least a majority plus one of all the members of the council vote in favor of such resolution.

Section 1244. The municipal clerk or secretary shall record all ordinances and resolutions adopted by council and at the close of each year, with the advice and assistance of the municipal solicitor, shall bind, compile or codify all the ordinances and resolutions, or true copies thereof, of the municipality which then remain in force and effect. He shall also properly index the record books, compilation or codification of ordinances and resolutions.

Section 1246. The council shall cause to be prepared and pass as an ordinance an administrative code which shall provide for the manner of appointment of a solicitor, clerk or secretary, and may create commissions and other bodies with advisory powers, and may provide additional provisions relating to the internal structure of the municipality as long as the provisions of the administrative code are not in conflict with any of the provisions of this law applicable to the municipality.

F. Audit and Control

Section 1251. The council shall provide by separate ordinance or in the administrative code for the exercise of a control function in the management of the finances of the municipality by the municipal controller or an independent auditor or, in the case of the optional plan set forth in Article X, the Optional County Plan, by the controller or auditors. (As amended by Act 149 of 1974).

Section 1252. The council may provide for annual post audits of all accounts by an independent auditor who shall be a certified public accountant, registered in Pennsylvania, or a firm of certified public accounts so registered.

G. Transition to Optional Charter Plan

Section 1261. Whenever the electors of a municipality adopt any of the optional plans provided by this act at any election for that purpose, such municipality shall be governed under the provisions of such plan, the provisions of general law applicable to that class of municipality and this act from the first Monday in January following the municipal election occurring after the next succeeding primary election, except as provided in Section 213(c) of this act. (As amended by Act 149 of 1974).

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Section 1262. (a) Any elected municipal official in office at the time of the adoption of any optional plan provided by this act shall continue in office only until the new plan of government goes into effect as provided in Section 1261, except as otherwise provided in subsections (c) and (d) of this section.

(b) At the municipal election next succeeding the adoption of one of the optional plans provided for in this act, if four or less councilmen are elected, they shall serve for terms of four years. If five are elected, the four successful candidates receiving the highest percentage of votes cast for the office to which they are elected shall serve for terms of four years, and the candidate receiving the next highest percentage of votes shall serve for a term of two years. If six or more councilmen are elected, the five candidates receiving the highest percentage of the votes cast for the office to which they are elected shall serve for terms of four years, and the remaining successful candidates receiving the next highest percentage of votes shall serve for terms of two years. Thereafter, all councilmen shall be elected for terms of four years; Provided, That where the term of office for councilmen under the adopted plan shall be different from the term of office for councilmen under an existing form of government the terms of office for councilmen so elected shall be established so that at each subsequent regular municipal election at which councilmen are elected, the number of councilmen to be elected shall be as nearly equal as possible to the number of councilmen to be elected at every other regular municipal election at which councilmen are elected. (As amended by Act 25 of 1975).

(c) If an elected municipal treasurer or elected municipal controller or elected county district attorney or elected county sheriff is in office at the time of the adoption of an optional plan under the provisions of this act, a treasurer or controller or district attorney or sheriff, as the case may be, shall not be elected or appointed to take office until after the resignation, death, removal or expiration of the term of said treasurer, controller, district attorney or sheriff.

At the expiration of the term of said treasurer, controller, district attorney or sheriff in office at the time of the adoption of an optional plan under the provisions of this act, a treasurer, controller, district attorney or sheriff, as the case may be, shall be elected or appointed for the full term for said office as provided by the optional plan adopted.

(d) Any member of a municipal governing body in office at the time of the adoption of an optional plan shall remain in office, continuing as an at-large or district councilman, as the case may be, until the expiration of his term in office, and shall receive the compensation provided by law at that time; Provided, That if that councilman was elected on an at-large basis, the newly adopted optional plan provides for a total number of at-large councilmen equal to or exceeding the total number of at-large councilmen under the existing form of government; or, if that councilman was elected on a district basis, the district from which that councilman was elected remains unchanged and continues to encompass the exact same geographical area under the newly adopted optional plan as under the existing form of government, and the number of councilmen to be elected from that district under the newly adopted plan is equal to or exceeds the number elected from that district under the existing form of government. Any such councilman may, by writing filed with the municipal treasurer, direct that any portion of his annual compensation for serving in office be returned to the municipal treasury. For the purpose of this section, an executive or mayor who is also a member of the council under an existing plan shall be considered as a member

of the council, and after the new plan goes into effect, his duties shall be only those of a member of council as prescribed by the new plan.

(e) At the municipal election next succeeding the adoption of one of the optional plans provided for in this act, the number of councilmen prescribed by the terms in the plan less the number of councilmen then in office whose terms do not expire on the first Monday of January next following, as may be determined by the foregoing subsection (d), shall be elected.

(f) If any vacancies in council occurring by reason of resignation, death or removal shall exist ninety days or more before such election they shall be filled for the remainder of the term of the person originally elected to that office.

Section 1263. (a) The annual compensation of the executive (mayor) and councilmen elected to their offices in the year prior to the transition year under any of the optional plans, except the Optional County Plan set forth in Article X, adopted pursuant to this act, shall be established by the commission as part of its recommendations or by the initiative petition or ordinance of the governing body authorized by Section 231 through 233 of this act.

(b) The compensation of the executive (mayor), councilmen, controller, and treasurer elected to their offices subsequent to the transition year to any of the optional plans set forth in this act, except for the plan set forth in Article X, the Optional County Plan, shall be fixed by ordinance of council finally passed or adopted at least two days prior to the last day fixed by law for candidates to withdraw their names from nominating petitions previous to the day of the municipal election. After such compensation is once fixed by ordinance, only an increase or decrease thereof need be fixed by such ordinance.

Section 1265. (a) On the effective date of an optional plan adopted pursuant to this act, all appointive offices then existing in such municipality shall be abolished and the terms of all appointed officers shall immediately cease and terminate; Provided, That nothing in this section shall be construed to abolish the office or terminate the terms of office of any alderman or constable or of any official or employee now protected by any tenure of office or civil service law, or of any policeman or fireman, whether or not protected by a tenure of office law.

(b) Provisions for officers and for the organization and administration of the municipal government under the optional plan may be made by resolution pending the adoption of ordinances, but any such resolution shall expire not later than sixty days after the effective date of the optional plan.

Section 1266. All actions and proceedings of a legislative, executive or judicial character, which are pending upon the effective date of an optional plan adopted pursuant to this act, may continue and the appropriate officer or employee under such optional plan shall be substituted for the officer or employee theretofore exercising or discharging the function, power or duty involved in such action or proceeding.

ARTICLE XIII GENERAL

Section 1304. In case the electors of any municipality disapprove a proposal to adopt a home rule charter or an optional plan of government the municipality shall retain its existing form of government.

***EXPENDITURES TO DATE
GOVERNMENT STUDY COMMISSION
JUNE 30, 1987**

Visit of Mayor Daddona from Allentown		\$195.16
Air Fare	\$157.00	
Days Inn	<u>38.16</u>	
	\$195.16	Total

Visit of Peter Marshall from State College		\$ 19.83
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Altoona Graphics		\$153.00
Posters for use at Public Hearing		

Secretarial Services - \$10.00/hr. for meetings and \$1.00/page for typed pages.

Meetings of:

November '86	\$ 32.00	
December '86	\$100.00	
January '87	\$ 81.50	
February '87	\$143.00	
March '87	\$104.00	
April '87	\$109.50	
May '87	\$106.34	
June '87	<u>\$ 94.00</u>	
	\$770.34	Total

Tapes Used @ \$6.50 ea.

November - 2 tapes	\$ 13.00	
December - 8 tapes	\$ 52.00	
January - 6 tapes	\$ 39.00	
February - 10 tapes	\$ 65.00	
March - 8 tapes	\$ 52.00	
April - 8 tapes	\$ 52.00	
May - 5 tapes	\$ 32.50	
June - 4 tapes	<u>\$ 26.00</u>	
	\$331.50	Total

Notebooks Used @ \$1.25 ea.

November - 1 notebook	\$ 1.25	
December - 2 notebooks	\$ 2.50	
January - 2 notebooks	\$ 2.50	
February - 4 notebooks	\$ 5.00	
March - 4 notebooks	\$ 5.00	
April - 4 notebooks	\$ 5.00	
May - 3 notebooks	\$ 3.75	
June - 2 notebooks	<u>\$ 2.50</u>	
	\$ 27.50	Total

Subtotal \$1,497.33

Expenditures to Date
Government Study Commission
Page 2

Postage (Varied upon the size of the packet sent)
10 copies of each were usually sent out. However, this also varied depending on who attended the meetings on various weeks.

November	\$ 00.00	
December	\$ 29.47	
January	\$ 16.56	
February	\$ 30.24	
March	\$ 24.10	
April	\$ 21.30	
May	\$ 17.64	
June	\$ 9.32	
	<u>\$148.83</u>	Total

Copies @ \$.01 ea. page

November - 96 pages	\$.96	
December - 403 pages	\$ 4.03	
January - 1036 pages	\$ 10.36	
February - 854 pages	\$ 8.54	
March - 792 pages	\$ 7.92	
April - 387 pages	\$ 3.87	
May - 418 pages	\$ 4.18	
June - 506 pages	\$ 5.06	
	<u>\$ 44.92</u>	Total

Envelopes @ \$.25 ea.

November - 0	\$ 0.00	
December - 27	\$ 6.75	
January - 30	\$ 7.50	
February - 37	\$ 9.25	
March - 40	\$ 10.00	
April - 69	\$ 17.25	
May - 29	\$ 7.25	
June - 40	\$ 10.00	
	<u>\$ 68.00</u>	Total

TOTAL EXPENSES \$1,758.88

*To be amended at final meeting.

STUDY COMMISSION AGENDA

November 11, 1986 First Meeting - Discussed Time/Place Frequency and general meeting considerations. Oath administered.

November 18, 1986 Election of Officers
Budget established
Set date for Public Hearing
Developed Future Agendas

November 25, 1986 Testimony by: Former Mayor Andronic Pappas
Former Finance Director Stu Duncan
Former Finance Director Travis Young

December 2, 1986 Testimony by: David Devare - Pennsylvania Economy League
Carl Macharola - Pennsylvania Economy League
Dr. Dennis Murray - Altoona Area School District

December 9, 1987 First Public Hearing
James Lombardo - Department of Community Affairs

December 16, 1987 Testimony by: Former Mayor Allan Hancock
Former Mayor William Stouffer
Former Finance Director Len Bettwy

Selection of alternates: Sandy Fry
Gilbert Ciambotti

January 5, 1987 Committees appointed to interview Mayor, Councilmen and their Department Heads. Question format developed for this.

January 12, 1987 Discussion of present form of City government, the Third Class City Code and Sunshine Law considerations.

January 26, 1987 Reports received on meetings with Councilmen and Department Heads, as well as with the Mayor.

February 2, 1987 Report received on Department of Streets & Public Improvements. Appointment of committees to study other forms of city government - Strong Mayor and Council/Manager.

February 9, 1987 Testimony by: Mayor Steve Reed of Harrisburg.

February 16, 1987 Discussion on advantages/disadvantages of Commission form.

February 23, 1987 Testimony by: Mayor Joseph Daddona of Allentown.

March 2, 1987 Testimony by: Yale Schulman, Chairman, City Planning Commission
Hampton Durbin, Chairman, Altoona Redevelopment Authority

March 9, 1987 Testimony by: Wayne Roller, Executive Director, Greater Altoona Economic Development Corp.

March 16, 1987 General Meeting.

March 23, 1987 Testimony by: Peter Marshall, Manager of the Borough of State College.
Report on visit with Johnstown Mayor.

March 30, 1987 Report on visit with York's Mayor Althaus, his Business Administrator and Mr. Al Hydeman, former Secretary to the Department of Community Affairs, now Director of Economic and Community Development for York.

April 6, 1987 Jim Lombardo - Department of Community Affairs.

April 13, 1987 Report on Council/Manager form of government.

April 20, 1987 Report on Executive (Strong Mayor)/Council form of government.

April 27, 1987 Commission turned down using public opinion survey.
Refined format for Public Hearing
Selected presentors for three forms of government permitted under Third Class City Code.

May 4, 1987 Second public hearing held in afternoon and evening sessions.
Testimony by: Travis Young - City Controller
Jerry Sacks - Altoona-Blair County Chamber of Commerce
Phil Fry - Amtran
Ray Johnson - Firefighter - City of Altoona
Sandra Fry - Alternate on Study Commission
Karl King - Councilman
Jan Mills
Maryann Mills
Jerry Rispoli - Retired
Ernie Weiss
Questions and answers after each session.

May 11, 1987 Reviewed second Public Hearing testimony.
Discussed Commission timetables.
First non-binding vote on members' recommendations.

May 18, 1987 Formal reports presented from Commission members supporting their respective recommendations.
Final vote to recommend to voters Council/Manager form of government.

May 26, 1987 Discussion on structure of Council/Manager format.
Subcommittee appointed to start preparing the draft of the Final Report.

June 15, 1987 Review of first draft of Final Report.

June 22, 1987 Review of Final Report
Set salaries for new government.

June 29, 1987 Presentation of Final Report in Final Draft.

July 13, 1987 Third Public Hearing

*To be amended at the final meeting.

